

### REMARKS

Reconsideration of the application is respectfully requested. Applicant has attempted to address every ground for rejection in the Office Action dated March 5, 2003, and believes that the claims as amended are in allowable form.

Claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hoyle's Modern Encyclopedia of Card Games. Independent claim 1 has been amended and applicant respectfully submits that claim 1, in view of the amendments and the following remarks, is in condition for allowance. Further, claims 2-4 depend from and contain all the limitations of claim 1, therefore, applicant respectfully submits that claims 2-4 are in condition for allowance.

Hoyle, at pages 338-39, discusses the game of Klondike or "traditional solitaire". In traditional solitaire the player alternates red and black suits in the intermediate area of play, which is sometimes called the Tableau or the Field. The alternation of red and black suits controls card combinations in that area, so that odd-numbered cards in a group of the suits (hearts and diamonds, for example) alternate with even-numbered cards in the other group of suits (spades and clubs, for example). Furthermore, during game play, many of the cards are not visible to the player. If a card is not visible the player does not know what suit or what number the card consists of. As such, a player relies significantly on his or her luck or guesswork to win the game.

The present invention, on the other hand, requires that a player play the game based on skill rather than luck or guesswork. The present invention provides for the visibility of all the game pieces and their corresponding elements throughout game play. Amended claim 1 provides that the game pieces and their indicia are visible during game play. Further, the third indicia described in the application are required, in one or more embodiments, to make it

practical for the player to see all the possible combinations for the pieces. The third indicia, specialized for solitaire play, help the player to see the possible combinations more easily than the red and black markings on the cards used in traditional solitaire. Unlike the red and black indicia of traditional playing cards, these novel indicia are not associated with one suit or another. Instead, they are interleaved between the groups matched according to their first indicia on alternating odd - and even-numbered game elements. When the player matches these indicia in the Field area, game element combinations are controlled similarly as in traditional solitaire, but with better visibility. Therefore, applicant respectfully submits that amended claim 1 is not unpatentable over Hoyle because Hoyle does not teach that all of the game pieces are visible during game play and because Hoyle does not teach that the third indicia interleaves within each group ordered by the first indicia. In view of the above remarks applicant respectfully requests allowance of amended claim 1 and dependent claims 2-4.

Claims 1-4 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Hoyle's Modern Encyclopedia of Card Games in view of Chernowski, Jr.

As discussed above, Hoyle the primary reference does not teach that all of the game pieces and their indicia are visible during game play and does not teach the third indicia on the game pieces as discussed in the present application and amended claims. In view of the above remarks, applicant respectfully requests allowance of amended claim 1 and dependent claims 2-4.

With regard to the art made of record by the Examiner in the Office Action dated March 5, 2003 but not relied upon, the art has been reviewed and is believed not to anticipate or render obvious any claims in the application.

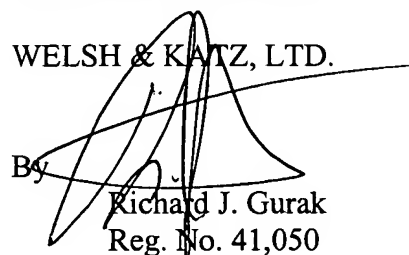
Applicant respectfully submits that the present application, in light of the amendments and the remarks, is in a condition for allowance, and such action is earnestly solicited. Should

the Examiner determine that there are outstanding issues which may be readily resolved through a telephone interview, the Examiner is invited to contact applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,

WELSH & KATZ, LTD.

By



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